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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/275,105 03/24/99 CASPAR R CWC-171

EXAMINER

QM32/0215

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ART UNIT

PAPER NUMBER

3724

DATE MAILED:

AIR MAIL

02/15/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/275,105

Applicant(s)
Caspar et al.

Examiner
Flores-Sánchez, Omar

Group Art Unit
3724



- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-32 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-32 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☐ Notice of References Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Drawings

1. The drawings are objected to because in Fig. 5 and 6 it is not clear if the number is 34 or 36. Correction is required.
2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “toothed sprockets”, “timing belt” and “chain belt” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “26 ” has been used to designate both nozzle and belt, in Fig. 3 and 4. Correction is required.

Claim Rejections - 35 USC § 112

4. Claims 1-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation “ the width”, “the water supply conduit”, “the water conduit” and “the speeds at which...”. There is insufficient antecedent basis for this limitation in the claim.

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Claim 2 recites the limitation “ the width”. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation “ the ends” and “the circumference”. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation “ the width”, “ the cutting apparatus”, "the water supply conduits" and “the one water conduit”, “ the width”, “the cutting apparatus” and “the speeds at which...”. There is insufficient antecedent basis for this limitation in the claim. It is not clear what “transverse directions” encompass.

Claim 21 recites the limitation "the supply conduit", “the conduit” and “the speeds at which...”. There is insufficient antecedent basis for this limitation in the claim.

Claim 24 recites the limitation “ the ends” and “the circumference”. There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

5. Claims 1, 10 and 21 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

6. Claims 2-9, 11-20 and 22-32 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. W. H. Harding, Volle, Audi et al., Chupka et al., Wedel, Wattles et al., Caspar, Foreign Patent no. FR 2553330 and Foreign Patent no. Wo 9103359 are cited to show related devices.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Flores-Sánchez whose telephone number is (703)308-0167. The examiner can normally be reached on Monday through Thursday from 8:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada, can be reached on (703) 308-2187. The fax number for the organization where this application or proceeding is assigned is (703) 305-3579.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

OFS

February 14, 2000



Charles London
AU 3724
PATENT SIGNATORY AUTHORITY